

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>Kevin Hearn, et al., Plaintiffs,</b>  <b>v.</b>  <b>Oriole Shipping, LLC, Defendant/Third-Party Plaintiff</b>  <b>v.</b>  <b>McAllister Towing and Transportation, Inc., Third-Party Defendant</b>	<b>CIVIL ACTION</b>  <b>NO. 17-2759</b>
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**ORDER RE: MOTION TO STRIKE THIRD-PARTY COMPLAINT AND STAY  
CONTRIBUTION OR INDEMNITY CLAIM PENDING ARBITRATION**

AND NOW, this 27<sup>th</sup> day of March 2018, after review of Third-Party Defendants McAllister Towing and Transportation, Inc. and McAllister Towing of Philadelphia, Inc.'s Motion to Strike Oriole Shipping, LLC's Third-Party Claim for Indemnity or Contribution Pending Arbitration, (ECF 19), for the reasons stated in the accompanying memorandum, it is hereby **ORDERED** that the motion is **GRANTED** without prejudice. Third Party Defendants' Motion to Stay Third-Party Plaintiff's Claim for Indemnity or Contribution Pending Arbitration (ECF 17) is **DENIED**.

**BY THE COURT:**

/s/ Michael M. Baylson

MICHAEL M. BAYLSON, U.S.D.J.